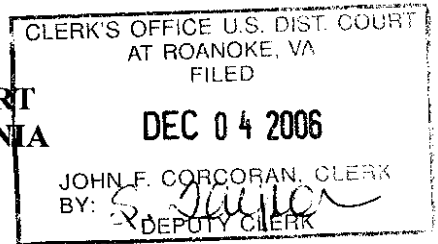


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



MAURICE FOSTER,

Plaintiff,

v.

TERRY O'BRIEN,

Defendant.

Civil Action No.: 7:06CV00711

MEMORANDUM OPINION

By: Samuel G. Wilson
United States District Judge

This is a petition pursuant to 28 U.S.C. § 2241 by Maurice Foster, an inmate incarcerated in a federal institution in the Western District of Virginia, challenging his convictions in the United States District Court for the Northern District of Illinois of conspiracy to distribute narcotics in violation of 21 U.S.C. § 846 and the use of a firearm in connection with that offense in violation of 18 U.S.C. § 924(e). This is Foster's second § 2241 petition challenging those convictions. The court dismissed Foster's first petition because it was, in effect, an unauthorized successive § 2255 petition and, alternatively, because Foster did not meet the standard under In re Jones, 226 F.3d 320 8, 333-34 (4th Cir. 2000), Foster v. United States, 7:05 cv 00770 (2005), and the Court of Appeals affirmed. United States v. Foster, 06-6178 (4th Cir. 2006). Once again, for the reasons stated in this court's previous opinion, the court dismisses Foster's petition because Foster does not meet the standard under In re Jones.

ENTER: This December 4, 2006.


UNITED STATES DISTRICT JUDGE